

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

RONALD HAMPTON, JR.,

Petitioner,

: Case No. 1:17-cv-369

- vs -

District Judge Michael R. Barrett
Magistrate Judge Michael R. Merz

FRANCISCO QUINTANA, Warden,
Et al.,

:

Respondents.

REPORT AND RECOMMENDATIONS

This habeas corpus action pursuant to 28 U.S.C. § 2241 is before the Court on Respondent Mary Oakley's Motion to Dismiss (ECF No. 17). That Motion reports that, as a result of the appearance of counsel on behalf of the ODRC, Petitioner has received all of the relief he sought in the Petition. He sought to have his assessment for post-release control processed electronically and the ODRC accomplished that on May 30, 2018 (ECF No. 17, PageID 139). Once that was accomplished, the ODRC requested that the detainer on Petitioner be released, the Hamilton County Sheriff did so, and the Federal Bureau of Prisons has removed the detainer. Thus Petitioner has received the relief he requested (Petition, ECF No. 1, PageID 8).

Because Petitioner has received all the relief he requested, the Petition is moot and should be dismissed on that basis. Because reasonable jurists would not disagree with this conclusion, Petitioner should be denied a certificate of appealability and the Court should certify to the Sixth

Circuit that any appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*.

June 8, 2018.

s/ ***Michael R. Merz***
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by mail. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 153-55 (1985).